

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT L. PAVONE and VALERIE V.
PAVONE,

Plaintiffs, 08 Civ.2389 (CLB/LMS)

-against-

LINDA PUGLISI, individually, ANN
LINDAU, individually, FRANCIS X. **NOTICE OF CROSS MOTION**
FARRELL, individually, JOHN SLOAN, **TO DISMISS QUALIFIED**
individually, THOMAS WOOD, **IMMUNITY MOTION**
individually and the TOWN OF
CORTLANDT, New York,

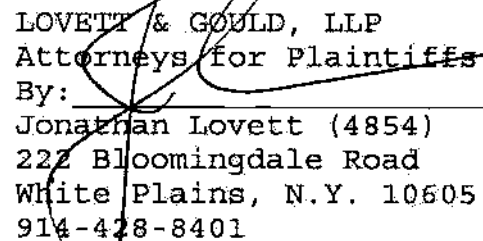
Defendants.

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Upon the annexed affirmation of Jonathan Lovett, duly sworn to July 29, 2008, the Civil Case Discovery Plan and Scheduling Order signed by the Hon. Charles L. Brieant on May 16, 2008, and the qualified immunity motion of Defendants Puglisi, Lindau, Farrell, Sloan and Wood, Plaintiffs will move this Court at the Courthouse, 300 Quarropas Street, White Plains, New York, before a Judge of this Court, on a date and at a time to be fixed by the Court for an order dismissing as waived the said Defendants' pre-trial opportunity to assert by motion the defense of qualified immunity by reason of their having violated the

explicit terms of the said Order.

Dated: White Plains, N.Y.
July 29, 2008

LOVETT & GOULD, LLP
Attorneys for Plaintiffs
By: 
Jonathan Lovett (4854)
222 Bloomingdale Road
White Plains, N.Y. 10605
914-428-8401